

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: ZOOM VIDEO COMMUNICATIONS,
INC. PRIVACY LITIGATION

CASE NO: 3:20-cv-02155-LB

**SUPPLEMENTAL DECLARATION
OF J. ALLEN ROTH**

I, J. Allen Roth, declare and state as follows:

1. I am attorney licensed to practice law in the Commonwealth of Pennsylvania and am a member in good standing of the Bar of the Commonwealth of Pennsylvania. I represent Sammy Rodgers and Alvery Neace and have been admitted *pro hac vice* by the Court in this case. I make this declaration based upon my personal knowledge and could competently testify to the contents herein if called upon to do so.

2. I filed objections to the settlement on behalf of Sammy Rodgers and Alvery Neace at Entry 228 on March 6, 2022. Many of the objections, such as problems with the website and the administration of the payments, could have been unilaterally cured by Class Counsel without the need to litigate. Instead, Class Counsel opposed every suggestion. I filed a reply to the responses at Entry 240 on March 25, 2022.

3. At no time did Class Counsel contact my office to discuss the matter or try to

1 resolve the objections.

2 4. Because my clients believed that the administration of the claims process
3 continued to be objectionable, an appeal was filed.

4 5. On August 2, 2022, I sent an offer of proposed resolution to Tyson
5 Redenbarger of Cotchet Pitre. They neither acknowledged the communication nor
6 responded to it.

7 6. It was not until September 1, 2022, that counsel for the Defendant, Benjamin
8 Kleine of Cooley LLP, contacted my office to discuss a possible settlement.

9 7. All of the negotiations with Class Counsel were through Mr. Kline who acted,
10 in part, as an intermediary. At Mr. Kleine's his request, on October 11, 2022, I advised of
11 my lodestar and the time spent on the litigation up to that time and an estimate of some
12 additional hours reviewing future filings. On October 12, 2022, Mr. Kleine advised that
13 they took a mid-point as to the estimated future hours, adding seven (7) hours for that
14 purpose.

15 8. Of course, I did not anticipate having to spend time responding to objections
16 by Class Counsel when there was no mention of such objection to the time or fees I made
17 disclosure of. On the contrary, I believed that if the parties thought the fees were not
18 reasonable, or if they wanted a breakdown as to what fees applied to what events, they
19 would have asked for further disclosure.

20 I declare under penalty of perjury under the laws of the State of Washington that the
21 foregoing is true and correct.

22 DATED: January 18, 2023.

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27 /s/ J Allen Roth
28 J Allen Roth, Esq.